

Appl. No. 10/767,276  
Amdt. dated 08/02/2005  
Response to Office Action of 05/03/2005

Attorney Docket No.: TS02-1330  
(N1085-90137)

**Amendments to the Drawing:**

Please amend Figures 11 and 12 as indicated on the replacement sheet attached hereto.

**REMARKS/ARGUMENTS**

Claims 1-27 and 42 were previously pending in this application and Claims 1-27 and 42 have been rejected. Claims 1, 4, 11, 19 and 22 are being amended and Claim 2 has been cancelled. It is believed that each of pending Claims 1, 3-27 and 42 is in 5 allowable form.

**I. Objection to the Drawing.**

In paragraphs 2-3 of the Office action, the drawings were objected to. These objections should be withdrawn for reasons set forth below.

10 In paragraph 2, the drawings were objected to as failing to comply with 37CFR 1.84(p)(4). Responsive to this objection, Figures 11 and 12 have been corrected to clearly show that thin dielectric layer 124 is a feature distinct from the HDP oxide layer 80.

In paragraph 3 of the Office action, the drawings were objected to under 37 CFR 15 1.83(a) for failing to show a "conformal oxide layer" as had appeared in original Claim 2. Claim 2 has been cancelled.

Therefore, the objections to the drawings should be withdrawn.

**II. Objection to the Specification.**

20 In paragraph 4 of the Office action, the specification was objected to because of informalities noted by the Examiner. The paragraph bridging pages 17 and 18 and also the paragraph beginning on page 19, line 1, have both been amended to correct the

informalities responsive to the Examiner's specific objections. As such, the objection to the specification in paragraph 4 of the office action, should be withdrawn.

In paragraph 5 of the Office action, the specification was objected to for failing to provide proper antecedent basis for the claimed subject matter. The Examiner alleges 5 that the specification does not support the features of original Claim 2, but Claim 2 is hereby cancelled, obviating this objection. The objection to the specification in paragraph 5 of the Office action, should therefore be withdrawn.

**III. Claim Rejections Under 35 USC Section 112.**

10 In paragraph 6 of the Office action, Claims 1-27 and 42 were rejected under 35 USC Section 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants respectfully submit that these claim rejections are overcome for reasons set forth below.

15 Claims 1, 2; 4, 7, 11, 19 and 22 were particularly pointed out by the Examiner for failing to comply with the requirements of 35 USC Section 112, second paragraph. Responsive to the Examiner's comments and suggestions, each of claims 1, 4, 7, 11, 19 and 22 has been amended and now complies with the requirements of 35 USC Section 112, second paragraph. Claim 2 has been cancelled.

20 In view of the above, the rejection of Claims 1, 3-27 and 42, under 35 USC Section 112, second paragraph, should be withdrawn.

## CONCLUSION

Based on the foregoing, each of Claims 1, 3-27 and 42 is in allowable form and the application therefore in condition for allowance, which action is respectfully and expeditiously requested.

5 The Assistant Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess payment that may be associated with this communication to deposit account 04-1679.

10 Respectfully submitted,

Dated: 03 August 2005

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20 Enclosures: Replacement Drawing Sheet

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